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Attorneys for Plaintiff

# IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

TYREE KEARNS, now known as TYREE CHARTER,	) Case No. CV OC 0500538
Plaintiff,	)
VS.	)
UPPER COLUMBIA CONFERENCE OF SEVENTH-DAY ADVENTISTS, a private association; UPPER COLUMBIA CORPORATION OF SEVENTH-DAY ADVENTISTS, a Washington corporation; and BRAD SOULÉ, individually,	AFFIDAVIT OF JAMES F. JACOBSON ) ) ) ) )
Defendants.	
STATE OF IDAHO )	

JAMES F. JACOBSON, being first duly sworn upon oath, deposes and says:

1. That your Affiant is an attorney duly licensed to practice law within the state of Idaho. In that capacity, your Affiant is a member of the law firm of Sasser & Inglis, P.C.,

AFFIDAVIT OF JAMES F. JACOBSON - 1.



attorneys for Plaintiff Tyree Kearns, now known as Tyree Charter. The information contained herein is based upon your Affiant's own personal knowledge.

- 2. That this Affidavit and the Exhibit attached hereto are submitted in support of Plaintiff's Motion to Amend Complaint to State a Claim for Punitive Damages.
- 3. Attached hereto as Exhibit "A" is a true and correct copy of the expert witness report of Joanne M. Moss. Ms. Moss is an expert witness for Plaintiff in the areas of youth camp management and American Camp Association Accreditation Standards.
- 4. Ms. Moss's expert witness report was timely disclosed by Plaintiff pursuant to the Stipulation for Scheduling and Planning entered in this matter, as well as this Court's Order Extending Deadline for Plaintiff's Expert Witness Disclosures entered on April 16, 2007. However, Ms. Moss's expert witness report was not available in time to be filed contemporaneously with Plaintiff's Motion to Amend Complaint to State a Claim for Punitive Damages, the filing deadline for which was April 13, 2007.

DATED this 24th day of April, 2007.

James F. Jacobson

SLBSCRI

BSCRIBED AND SWORN TO Before me this 24th day of April, 2007.

Notary Public for Idaho

Residing at Boise, Idaho

My Commission Expires:

07/10/09

#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 24th day of April, 2007, I caused to be served, by the method(s) indicated, a true and correct copy of the foregoing upon:

John J. Lerma Anita M. Moore Lerma Law Office, P.A. 3045 E. Copper Point Drive P.O. Box 190719 Boise, Idaho 83719	Hand Delivery  X United States Mail  Express Mail  Fax Transmission  288-0697
Attorneys for Defendants Upper Columbia Conference of Seventh-Day Adventists and Upper Columbia Corporation of Seventh-Day Adventists	
Bret A. Walther Bret Walther Law Office, PLLC 671 E. Riverpark Lane, Suite 130 Boise, Idaho 83706 Attorneys for Defendant Brad Soulé	Hand Delivery  X United States Mail  Express Mail  Fax Transmission  344-7980
	James F. Jacobson

6070 Affidavit of JFJ.doc

#### Kearns v. Upper Columbia Conference of Seventh Day Adventists, et al.

Of
JOANNE M. MOSS
2207 Judith Street
Boise, Idaho 83705

**April 23, 2007** 

#### I. Credentials

A. Degrees and Academic Achievements.

Associate of Applied Science Hocking College Nelsonville, Ohio

B. Specialized Training and Experience.

ACA Associate Visitor – 2000 to present

I have participated in five camp visits as an Associate Vistor. As a Camp Director, I have been visited during three different camp seasons, which has involved four different camp properties, by ACA accreditors.

1992 – Resident Camp Directors Training (A four-day training given by Girl Scouts USA at the Edith Macy Center in White Plains, New York.)

This training focused heavily on staff recruitment, hiring, training, and supervision. Much training was also given as to the preparation, organization, and presentation of high-quality pre-camp staff training. Training was also given on age-related behaviors one can expect when dealing with children, age appropriate programs, safety concerns, and emergency procedures.

1993 – Day Camp Administrator and Directors Training (A three-day training given by Girl Scouts USA at the Edith Macy Center in White Plains, New York.)

This training was similar to the Resident Camp Training, but based on day programs rather than overnight/resident camp programs.

#### November 1991 to September 1994 – Employed by Montachussett Girl Scout

Council, Worcester, Massachusetts

Position: Outdoor Program Manager

My duties included, but were not limited to, the development and administration of year-round programs on various sites, including a resident camp and 12 day camps. I was directly responsible for hiring, training, and supervising the Resident Camp Director, as well as other resident camp staff. I also provided direct supervision of pre-camp training and all safety concerns associated with the site. As this was an ACA accredited camp, I was directly responsible for the gathering and organization of all of the necessary ACA documentation for accreditation, assuring ACA accreditation standards were met, and maintaining the camp's accredited status.

#### <u>February 1995 to August 1998 – Employed by Silver Sage Girl Scout Council,</u> Boise, Idaho

Position: Camp and Properties Manager

My duties included, but were not limited to, the recruitment, hiring, training, and supervision of all summer camp staff. Two summers I acted as camp director, while supervising another camp director on a site 6.5 hours away. These were also ACA accredited camp sites/programs, and I was responsible for gathering, updating, and organizing all necessary documentation to assure compliance with ACA standards on an on-going basis for three separate camps.

#### C. All Publications Authored Within the Preceding (10) Ten Years.

I have not authored any publications within the past ten years.

#### D. Professional Associations and Memberships; Responsibilities Within Such.

Lifetime Member, Girl Scouts

ACA member since 1992 Associate Visitor – 2000 to present

# E. All Other Cases In Which I Have Provided Expert Testimony Either at Trial or By Deposition in the Last (4) Four Years.

I have not provided expert testimony in the last four years.

#### F. Compensation to Be Paid for Your Testimony in this Case.

\$50.00 per hour

#### **DOCUMENTS REVIEWED IN PREPARATION OF OPINIONS**

- A. Depositions of the Following Individuals Taken in This Matter:
  - Tyree Kearns-Charter taken on March 28, 2007
  - Brad Soule taken on March 28, 2007
  - Richard M. Parker taken on March 29, 2007
  - Joe Threadgill taken on March 29, 2007
- B. The Following Written Discovery Responses
  - Defendants Upper Columbia Conference of Seventh-Day Adventists and Upper Columbia Corporation of Seventh-Day Adventists' Answers to Plaintiff's First Interrogatories
  - Defendants Upper Columbia Conference of Seventh-Day Adventists and Upper Columbia Corporation of Seventh-Day Adventists' Response to Request for Admission No. 1 of Plaintiff's First Request for Admission
- C. 1998 edition of the American Camp Association's Accreditation Standards for Camp Programs and Services, portions of which are attached to this report.
- D. Camp MiVoden Staff Manual for 1999

#### **OPINIONS**

#### **OPINION NO. 1**

As A 14-year old, Tyree Kearns should not have been at Camp MiVoden in the summer of 1999 as a volunteer or regular staff member.

- 14-year olds are not generally mature enough to make appropriate decisions or handle emergencies. 14-year olds are too close in age to many of the campers. This makes it difficult, if not impossible, to distance themselves adequately and make mature, logical decisions, as well as provide appropriate camper supervision.
- Most camps who want to "grow" future staff members have CIT I (Counselor in Training I) and CIT II programs for young teenagers. Through these programs they begin to learn how to become a camp counselor in a safe, controlled setting, where they are still treated and supervised on par with regular camp attendees. Tyree was not treated as a CIT, but rather was treated on par with the other 18-year old wranglers on staff.

• ACA Accreditation Standards – HR-10 (applicable to Camp MiVoden in 1999) require a minimum of 80% of camp staff be over 18-years old. ACA HR-10 provides that no camp staff member be under 16-years old. Based on the level of supervision provided to Tyree, Tyree should not have been on the Camp MiVoden staff during the summer of 1999. Camp MiVoden administration was in violation of ACA standards by allowing Tyree Kearns to be on the camp staff during the summer of 1999.

#### OPINION NO. 2

Since Camp MiVoden Administration decided to have Tyree Kearns on staff while she was under 16-years old, Camp MiVoden Administration improperly and inadequately carried their responsibility to manage, supervise, and protect her as a minor under 16-years old.

- No one was assigned to supervise Tyree Kearns when she was away from the horse program area.
- Tyree Kearns was not given any pre-camp training in Camp MiVoden policies and procedures.
- Other Camp MiVoden staff never questioned Tyree Kearns about being out late.
- Neither Camp MiVoden administration nor staff called Tyree Kearns' parents in August of 1999 to let them know she was having sleeping problems, dehydration issues, getting dizzy, and making frequent trips to the nurse. That many trips to the nurse should prompt a call home when it involves a minor.
- Tyree Kearns should not have been housed with the 18-year old wrangler staff, but rather she should have been housed with camp attendees of similar age.

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#### **OPINION NO. 3**

When Brad Soulé and Tyree Kearns were seen holding hands the first time, they should have been given a strong and definite warning to stay away from each other and have no more contact. When Brad Soulé and Tyree Kearns were seen holding hands a second time, both should have been terminated.

• By holding hands, Brad Soulé and Tyree Kearns were in violation of staff policy number 35, as reflected at p. 65 of the 1999 Camp MiVoden staff manual.

- The first time Brad Soulé and Tyree Kearns were caught holding hands, they each should have received a documented warning that should then have been placed in their personnel files.
- After Brad Soulé and Tyree Kearns were caught holding hands a second time, both should have been terminated from their employment at Camp MiVoden.
- The age difference between Brad Soulé and Tyree Kearns warranted their being terminated after the second hand holding incident. This behavior, particularly given the age difference, provides notice of a more serious, or potentially serious, relationship between the two of them.
- Camp MiVoden policies were in place that prohibited Brad Soulé's and Tyree Kearns' conduct. Camp MiVoden Administrators failed to effectively enforce camp policies by not terminating Brad Soulé and Tyree Kearns after the second hand holding incident.
- The Camp Director is directly responsible for seeing that the policies are enforced on a fair and consistent basis. Such policies exist for the safety and protection of camp staff and attendees.

#### **OPINION NO. 4**

At Camp MiVoden during the summer of 1999, staff training in the area of staff-staff relationships was deficient and communication between camp supervisors and the Camp Director was inadequate.

- ACA Camp Standard HR-11 provides that pre-camp staff training of at least six days in length be provided to all residential camp staff members. If such staff training is performed properly and adequately, staff members will recognize and report areas of misconduct among staff. If the Camp Director takes an active role in staff training and effectively communicates with staff members and supervisors, then appropriate communication between staff members and camp administration will occur. While Camp MiVoden Administration provided a week-long orientation at the beginning of summer camp in 1999, this training was ineffective, as camp staff members failed to report the relationship between Brad Soulé and Tyree Kearns. Further, Tyree Kearns received no training at all in camp staff policies and Brad Soulé could not recall being trained in key Camp MiVoden policies regarding staff-staff relationships and staff curfew.
- Given that Tyree Kearns received no training during the initial orientation week, she should have been provided late hire training, pursuant to ACA Standard HR-12. Tyree Kearns received no late hire training in Camp MiVoden staff policies.

- ACA Standard HR-13 requires camp implementation of in-service training. Weekly inservice training is important to proactively deal with common, problematic issues, such as staff-staff relationships at a co-ed camp. Where young people must work closely together, weekly in-service training regarding staff-staff relationships are essential. Camp MiVoden Administration failed to conduct regular in-service training, particularly regarding staff-staff relationships. For example, such in-service training should have occurred after Brad Soulé and Tyree Kearns were caught holding hands. That in-service training could have focused on the issue of staff-staff relationships and camper-staff relationships, emphasizing the prohibition of both such relationships. Camp MiVoden Administration failed to conduct such in-service training.
- ACA Standard HR-19 requires specific training for staff supervisors to maintain staff performance and address inappropriate staff behavior. ACA Standard HR-20 provides that regular observation of staff by supervisors is necessary to provide coaching, encouragement, and necessary correction. Supervisors should be adequately trained in observation of staff performance. Appropriate supervisor observation provides an excellent tool for supervisors to detect problems and promote camper protection. Tyree Kearns' supervisors at Camp MiVoden in 1999 failed to appropriately observe her fatigue, depression, and other problem indicators. Further, Tyree Kearns' supervisors failed to effectively communicate with the Camp Director regarding such problems. The Camp Director failed to establish effective communication lines between his supervisors and himself and failed to properly train camp supervisors during the summer of 1999. Had such communication lines been effectively established, observations regarding Tyree Kearns' fatigue, depression, and other problem indicators would have been communicated from the supervisors to the Camp Director. Effective lines of communication should also have been established between the camp nurses and their supervisors or the Camp Director. Camp MiVoden nurses should have effectively communicated Tyree Kearns' fatigue, depression, and other problem indicators through appropriate channels to the Camp Director. Tyree's fatigue condition was of sufficient magnitude that it warranted further inquiry by the Camp Director as to its cause. inquiry by the Camp Director should have included discussions with Camp MiVoden nurses, Camp MiVoden staff sharing quarters with Tyree Kearns, and Tyree Kearns herself.

#### OPINION NO. 5

Camp MiVoden Administration failed to keep appropriate health care records in relation to Tyree Kearns during the summer of 1999 regarding her incident of her cutting herself.

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• ACA Standard HW-19 requires a camp to maintain a proper system of health care record keeping. Such record keeping would include a written report describing Tyree Kearns' incident of cutting herself during the summer of 1999. Such a record should exist not only in an incident report form, but also within the Camp MiVoden nurse's log.

• ACA Standard HW-20 provides that camp health records shall be maintained for the period of statutory limits. In the event Camp MiVoden Administration generated an incident report regarding Tyree Kearns cutting herself during the summer of 1999, such incident report should still be in the possession of Camp MiVoden Administration and available for production. Camp MiVoden Administration has failed to produce any incident report regarding Tyree Kearns cutting herself in the summer of 1999.

Joanne M. Moss

# Accreditation Standards for Camp Programs and Services

1998 Edition

Photo credits. Appreciation is extended to the following for the use of the photos in this book: Camp Menotomy, Meredith, New Hampshire, photo by Nancy Bland (front cover); French Woods Festival of Performing Arts, Hancock, New York, photos by Bill Harwood (front cover and page 15); Girl Scout Council of Orange County, photo by Tony Kawashima (page 1); Camp Easter Seal—West, photo by Eric Dresser (page 179); Cheley Colorado Camps (page 187); San Francisco Bay Girl Scouts, Camp Chameleon Day Camp, photo by Susan Hardy (page 195).

Previously published as Camp Standards with Interpretations for the Accreditation of Organized Camps, and Standards for Day and Resident Camps.

© 1972, 1975, 1984, 1990, revised 1993, 1998 by American Camping Association, Inc. Earlier editions, 1935, 1941, 1956, 1960, 1966, 1972, 1978, 1984.

Printed in the United States of America.

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American Camping Association, Inc.
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Martinsville, IN 46151-7902
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fax 765-342-2065
www.aca-camps.org

#### Library of Congress Cataloging-in-Publication Data

American Camping Association.

Accreditation standards for camp programs and services / American Camping Association. — 1998 ed.

p. cm.

Rev. ed. of: Standards for day and resident camps. Includes bibliographical references and index. ISBN 0-87603-159-9 (pbk.)

1. Camps—Accreditation—United States. I. American Camping Association. Standards for day and resident camps. II. Title. GV198.A38A35 1998

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should they include staff who have exclusive administrative, office, food service, or maintenance duties.

"General camp activities" are those that do not require special technical skills, equipment, or safety regulations other than those that generally apply throughout the camp. Examples include singing, nature studies, religious instruction, crafts, etc. Ratios and qualifications for supervision of specific program activities are covered in the Program, Horseback, Aquatics, Adventure/Challenge, and Trip and Travel standards.

In Part B, any exceptions to the general ratios should be in accordance with the type of activity, the area, and the characteristics of the participants. Camp policies may specify no exceptions. Exceptions for times such as free time, rest hour, after lights out, early morning, field trips, and overnights, must be well defined and justified since statistics indicate that these are the times when accidents and incidents are most likely to happen in camps.

When the camp serves campers with special physical, medical, or behavioral needs who require additional staff support to participate in camp (e.g., physically or mentally disabled, emotionally disturbed, etc.), the following ratios of staff and counselor-support personnel to campers are suggested:

Camper Description	Staff	Campers
Needing constant and individual assistance or supervision	1	1
Needing close, but not constant assistance or supervision	1	2
Needing occasional assistance	1	4
Needing minimal assistance	.1	5

In Part C, to prevent situations with opportunity for child abuse, camps must consciously determine where at least two staff persons are required with camper groups, such as on overnights, in showers, and on trips.



Compliance Demonstration: Visitor observation of written supervision policies and ratios for camp staff and user groups; visitor observation of randomly selected camper groups; director/staff description of supervision practices.

#### HR-10

#### Staff Age Requirements

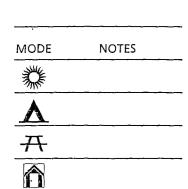
DNA if staff under 18 years are not used for camper supervision.

Do written camper supervision policies specify that staff used to meet staff-to-camper ratios (in HR-9) meet the following requirements:

- A. At least 80% (100% for camps primarily serving persons with special needs) of the staff are 18 years of age or older?
- B. All staff are at least 16 years of age and at least two years older than the minors with whom they are working?

  YES NO

Interpretation: Staff used to meet the ratios for supervision in standard HR-9 must meet the minimum age requirements in this standard. Per-



sons who don't meet the age requirements may be used by camps in other positions, such as food service or maintenance, or as additional program personnel to assist staff.

Age ratios apply to programs staffed by the camp as well as to instructions given to user groups for supervision of youth.



Compliance Demonstration: Visitor observation of written supervision policies; director/staff description of staff ages available.

#### STAFF TRAINING AND SUPERVISION REQUIREMENTS

in Day, Resident (including Trip/Travel) Camps and Short-term Residential programs.

If camp never provides Day, Resident or Short-Term Residential programs, DNA HR-11 through HR-21

## HR-11 Precamp Staff Training

Does the camp provide precamp training of the following length, for camp program personnel:

- 1. For day camp staff at least 24 hours,
- 2. For resident and trip or travel camp staff,
  - a. Long-term staff at least 6 days in length,
  - b. Short-term staff at least 24 hours,
- 3. For short-term residential programs at least 24 hours?

  YES NO

Interpretation: Precamp training should include contents specified in these standards, including: items in this Human Resources section, as well as routines and procedures, and training specified in other sections of the standards (for example, training in emergency procedures, prevention of child abuse, bloodborne pathogens, and program activity training). See ACA resources for a list of training topics required by the standards.

The intent is that this training be specific to camp staff responsibilities. While some camp staff may participate in other kinds of training throughout the year, the hours required by this standard must relate to skills required for planning, program activities, and supervision responsibilities of camp.

For long-term staff, six days of training can vary in structure, but should be at least 48 instructional hours. Time spent sleeping, eating, and participating in free-time recreational activities would not be considered a part of staff training.

For day camp staff and short-term staff, ACA expects the 24 hours to be 24 instructional hours of training, at a minimum. Some if not all of

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this training should be done on site to familiarize staff with the site, its features and emergency procedures. For camps without a base site, some of the training time must be with the group of staff who will be working together, in order to establish better working relationships.

Compliance Demonstration: Director/staff description of training period.

#### HR-12

#### Late-Hire Training

See applicability box (page 93).

Does the camp implement a system to provide training for late-hired, replacement, or other camp program personnel not present for all or part of precamp training?

YES NO

Interpretation: Because staff training is so critical to safe and effective program for campers, procedures should be identified to assure that latecomers, late hires, and replacement staff receive training in areas missed during precamp. The system may specify such things as individual training sessions with the staff person's supervisor, orientation sessions with activity specialists, periods of "apprenticeship" under fully-trained staff, or self-study topics.

Compliance Demonstration: Director explanation of training system in place for use when needed.

#### HR-13

#### In-Service Training

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See applicability box (page 93).

DNA if the entire season is two weeks or less in length, or if program staff are on site for less than two weeks.

Does the camp implement a system for in-service training of all camp staff who work directly with campers?

YES NO

Interpretation: "In-service" refers to training that occurs during the camp season. The training specified here involves more than staff meetings for announcements and coordination of schedules that often occur on a regular basis in camps. It includes methods for providing continuing education and support for staff such as regularly scheduled supervisory conferences, special program activities and skill training sessions, and training sessions relating to human behavior and group dynamics.

Compliance Demonstration: Director/staff description of in-service training opportunities.

## HR-18

#### Supervision of Staff

Does the camp provide for persons who supervise other staff:

- A. A list or chart showing whom they are to supervise? YES NO
- B. Training to carry out their responsibilities in the camp's performance review system?

  YES NO

*Interpretation:* Supervision is one of the keys to an effective staff and quality program. The intent of this standard is that the camp administrators clearly define and communicate the expectations of supervisors to those with that responsibility.

Effective supervision requires that individuals have a clear picture of who they supervise, or are supervised by, so that two-way communication is enabled. An organizational chart will help to identify this pattern and help administrators evaluate the amount of supervisory responsibility delegated to any one individual.

For Part B, supervisors need to receive specific training in the content and methods used in evaluating their staff's performance. Depending on the camp, the performance review system may range from verbal recommendations at the end of a season or session to formal written performance appraisals based on observations and supervisory conferences over the entire season or year.

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See applicability box (page 93).



Compliance Demonstration: Visitor observation of list or chart; director/staff description of training provided to supervisors.

#### HR-19

#### **Supervisor Training**

Does the camp provide written guidelines and specific training for supervisors of other staff to help supervisors:

- A. Identify and reinforce acceptable performance of staff in the jobs they supervise?

  YES NO
- B. Identify and address inappropriate staff behavior? YES NO

Interpretation: All staff need to know expectations for acceptable job performance and for appropriate behaviors (see standards HR-7 and HR-15 through HR-17). To effectively observe and evaluate, supervisors need to be able to identify the acceptable levels of job performance and appropriate behaviors of the staff positions they supervise. Acceptable job performance and appropriate behavior include, as examples, establishing positive role models for campers, enforcing safety rules, utilizing appropriate teaching techniques, encouraging positive interactions among campers, settling disputes, and so forth. Training for supervisors should include how and when to observe staff, what to look for, and how to communicate suggestions for improvement.

Supervisors also need to develop skills in identifying and addressing inappropriate staff behavior with campers or with other staff. Inappro-

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See applicability box (page 93).

priate staff behavior may include actions or attitudes resulting from immaturity, inexperience, stress, lack of knowledge, illness, fatigue, poor judgment, or expectations of the individual that were beyond his or her abilities. See Appendix S. (page 237) for more information to help train staff supervisors.



Compliance Demonstration: Visitor observation of written guidelines; director/staff description of training provided.

#### HR-20

#### Staff Observation

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See applicability box (page 93).

Does the camp use a system of regular observations of staff by supervisors to provide coaching, encouragement, and necessary correction?

YES NO

Interpretation: Standards HR-7 and HR-15 through HR-17 specify guidelines for acceptable performance and behavior for staff. The intent of this standard is to assure that observations of staff occur on a regular, systematic basis. The system should include specifications for how often observations should occur.

This supervision should assist staff in the accomplishment of camper development objectives, provide support to staff, and help assure that acceptable job performance criteria are continually practiced. Regular supervision of staff is considered by many to be a positive technique in camper protection, and a proactive in-service training opportunity for staff.

Staff of varying experience and skill levels require different levels of supervision. This standard does not intend to require that all staff need the same levels of supervision. The camp's system should provide for supervision of all staff at some level based on their skills, experience, requests for help, and previous evaluations by supervisors.

"Regular observations" means on a schedule determined by the camp based on factors such as the complexity of the program, length of season, and background of staff.

See Appendix S (page 237) for a description of the functions of supervision, including coaching, reinforcing, and correcting behavior.

Compliance Demonstration: Director/staff explanation of observation system used.



#### Recordkeeping

Does the camp generate the following records:

- A. A health log or other health recordkeeping system in which the following information is recorded in ink:
  - 1. Date, time, and name of person injured or ill,
  - 2. General description of injury or illness,
  - 3. Description of treatment (if administered), including any treatment administered away from the health care facility,
  - Administration of all medications, and
  - 5. Initials of person evaluating and treating?

MODE

**NOTES** 

See applicability box (page 53).

Reports of all incidents resulting in injury requiring professional medical treatment? NO

Interpretation: A bound book with preprinted page numbers and lined pages is frequently used to meet Part A of this standard because of its acceptability in a court of law. Such a system is particularly helpful when multiple people keep health records, or they are kept by persons without extensive medical training. Any system used should be reviewed by medical and legal counsel. Camps should keep separate records for campers and staff to meet OSHA regulations. Computerized records are acceptable under this standard only when there is a method of ascertaining when records have been altered.

Camps need a system to be sure that any logs kept away from the camp's main health center (e.g., on trips or at remote locations) are added to or included in the main log or recordkeeping system. The administration of drugs on a daily, routine schedule to a number of campers may be recorded in one entry at the end of the session by appending daily medication records to the log or charts.

"Professional medical treatment" includes all medical attention by or consultation with a licensed physician following an injury or incident. Staff are required to complete reports in standard OM-15 (page 80). Check ACA resources for more information.



Compliance Demonstration: Visitor observation of logs and reports; director/staff description of recordkeeping process.

#### **Record Maintenance**

**NOTES** MODE

See applicability box (page 53).

Does the camp maintain, at least for the period of statutory limits, all health forms and records gathered or produced during the camp season?

Interpretation: Includes, as applicable, health histories, health exam forms, permission-to-treat forms, health logs, medication logs, and incident reports. Camps may also want to consider including each year's health policies, treatment procedures and protocols, along with information on health care providers and insurance providers.

While state laws vary, minors usually have up to two years after they reach the age of majority to instigate litigation on their own behalf. Staff records of persons who have had exposure to bloodborne pathogens are required by OSHA to be maintained for the period of employment plus 30 years. Other staff health records are to be maintained for 20 years according to OSHA.

Compliance Demonstration: Director/staff description of recordkeeping process.

#### SHORT-TERM RESIDENTIAL, FAMILY PROGRAMS AND RENTAL TO USER GROUPS

DNA \*HW-21 through HW-23 if camps DO NOT operate short term residential programs, family camps, or provide facilities to user groups

#### **Emergency Care Personnel**

Does the camp provide, or advise user group leaders in writing to provide, adults with the following qualifications to be on duty for emergency care:

- 1. CPR certification from a nationally-recognized provider, and, for youth groups,
  - 2. First aid certification from a nationally-recognized provider?

*Interpretation:* For the purposes of the standards, a youth group is one with children under age 18 who are unaccompanied by a parent or guardian.

See Appendix W (page 247) for information on certifying bodies.

MODE

MANDATORY

**NOTES**